

Notice of Allowability

Application No.

09/871,127

Examiner

William L. Miller

Applicant(s)

ANDERSON ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to reply received 11-01-2004.
2. ☒ The allowed claim(s) is/are 1,2,4-9,11-14,26 and 27.
3. ☒ The drawings filed on 08 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 01182005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. Claim 1 is generic and allowable. Consequently, the election of species requirement is hereby withdrawn per 37 CFR 1.141.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tait Swanson on 01-18-2005.

The application has been amended as follows:

In the claims:

Claim 1, line 5, before “;” insert --, wherein the standoff portion extends from the washer portion and has an exterior surface that is substantially perpendicular to the washer portion--; and

Claim 13, line 10, before “.” insert --, wherein the standoff portion has an exterior surface that is substantially perpendicular to the washer portion--.

3. The following is an examiner's statement of reasons for allowance: Regarding claims 1 and 13, Bydalek (US#6435791) discloses all of the limitations except for the standoff portion having an exterior surface that is substantially perpendicular to the washer portion. Bydalek discloses the exterior surface of the standoff portion 36 is partially frustoconical for positioning the standoff portion in a complementary depression 38 of surface 40, i.e. the exterior surface of the standoff portion is not substantially perpendicular to the washer portion 32. Therefore, it

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would not have been obvious to one of ordinary skill in the art to modify Bydalek such that standoff portion had an exterior surface that was substantially perpendicular to the washer portion.

4. Regarding claim 7, Bydalek discloses all of the limitations except for the standoff portion having a substantially cylindrical structure extending from the washer portion to an end.

Bydalek discloses the standoff portion 36 is partially frustoconical for positioning the standoff portion in a complementary depression 38 of surface 40, i.e. the standoff portion is not substantially cylindrical from the washer portion 32 to an end. Therefore, it would not have been obvious to one of ordinary skill in the art to modify Bydalek such that the standoff portion had a substantially cylindrical structure extending from the washer portion to an end.

5. Regarding claims 26 and 27, Bydalek in view of Hans (US#3829163) discloses all of the limitations except for the standoff portion comprising a substantially right cylinder extending from the washer portion to an end opposite the washer portion. Moreover, Bydalek discloses the standoff portion 36 is partially frustoconical for positioning the standoff portion in a complementary depression 38 of surface 40, i.e. the standoff portion is not a substantially right cylinder extending from the washer portion to an end opposite the washer portion. Therefore, it would not have been obvious to one of ordinary skill in the art to further modify Bydalek such that the standoff portion comprised a substantially right cylinder extending from the washer portion to an end opposite the washer portion.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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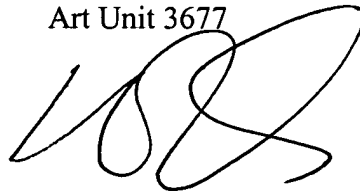
fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is 703 305 3978. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller
Primary Examiner
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A handwritten signature in black ink, appearing to be 'WLM', written over a horizontal line.

WLM
01-18-2005